

# DECLARATION AND POWER OF ATTORNEY FOR ORIGINAL U.S. PATENT APPLICATION

Attorney's Docket No. PLNTP003

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **CONSUMER TO BUSINESS DATA CAPTURING SYSTEM** the specification of which,

(check one)

1. ☒ is attached hereto.
2. ☐ was filed on \_\_\_\_\_ as  
U.S. Application No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.
3. ☐ was filed on \_\_\_\_\_ as  
International PCT Application No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, CFR § 1.56.

## Prior Foreign Application(s)

I hereby claim foreign priority benefits under Title 35, United States code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

			Priority Benefits Claimed?
			Yes ___ No ___
_____ (Application No.)	_____ (Country)	_____ (Filing Date)	
_____ (Application No.)	_____ (Country)	_____ (Filing Date)	Yes ___ No ___

## Provisional Application(s)

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

<u>60/172,393</u> (Application No.)	<u>December 17, 1999</u> (Filing Date)
_____ (Application No.)	_____ (Filing Date)

**Prior U.S. Application(s)**

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

\_\_\_\_\_  
(Application No.)                      (Filing Date)                      (Status - patented, pending, abandoned)

\_\_\_\_\_  
(Application No.)                      (Filing Date)                      (Status - patented, pending, abandoned)



**Power of Attorney**

And I hereby appoint the law firm of **Beyer Weaver & Thomas, LLP** and all practitioners who are associated with the Customer Number 022434 as my principal attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

**Direct Correspondence To:**

**Customer Number: 022434**  
**BEYER WEAVER & THOMAS, LLP**  
P.O. Box 778  
Berkeley, CA 94704-0778



**Direct Telephone Calls To:**

**Attorney Name at telephone number (510) 843-6200**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Typewritten Full Name of

Sole or First Inventor: Peter E. Blackshaw

Citizenship: United States of America

Inventor's signature:

Date of Signature: 10/12/2000

Residence: (City) Cincinnati

(State/Country) Ohio

Post Office Address: 1114 Carney Street, #3, Cincinnati, Ohio 45202

Second Inventor: Daniel M. Coates

Citizenship: Canada

Inventor's signature:

Date of Signature: 10/12/2000

Residence: (City) Mason

(State/Country) Ohio

Post Office Address: 4120 South Shore Drive, Mason, Ohio 45040

Third Inventor: Olivier Fischer

Citizenship: France

Inventor's signature: James F. Smith

Date of Signature: 10.18.2000.

Residence: (City) Cincinnati

(State/Country) Ohio

Post Office Address: 1230 Inglenook Place, Cincinnati, Ohio 45208

Fourth Inventor: Michael C. Kunz

Citizenship: United States of America

Inventor's signature: 

Date of Signature: 10/12/2000

Residence: (City) Cincinnati

(State/Country) Ohio

Post Office Address: 1440 West Kemper Road, #802, Cincinnati, Ohio 45240

[illegible]

Applicant/Patentee: Peter E. Blackshaw, Daniel M. Coates, Olivier Fischer, and Michael C. Kunz

Application or Patent No. \_\_\_\_\_ Atty Docket # PLNTP003

Filed or Issued: \_\_\_\_\_

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
37 CFR 1.9(f) and 1.27(c)--SMALL BUSINESS CONCERN

I hereby declare that I am

☒ [X] the owner of the small business concern identified below:

☐ [ ] an official empowered to act on behalf of the small business concern identified below:

NAME OF CONCERN: PlanetFeedback.com, Inc.

ADDRESS: 1128 Main Street, Cincinnati, Ohio 45210

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under 41(a) and (b) of Title 35, U.S. Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled: CONSUMER TO BUSINESS DATA CAPTURING SYSTEM, by inventor(s) Peter E. Blackshaw, Daniel M. Coates, Olivier Fischer, and Michael C. Kunz, described in

☒ [x] the specification filed herewith.

☐ [ ] Application No. \_\_\_\_\_ filed \_\_\_\_\_

☐ [ ] patent # \_\_\_\_\_ issued \_\_\_\_\_

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).  
\*Note: separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

☐ [ ] individual ☐ [ ] small business concern ☐ [ ] nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 1001 of Title 18 of the U.S. Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Douglas J. Widmann

TITLE IN ORGANIZATION: General Counsel

SIGNATURE Douglas J. Widmann DATE 10/18/00